

EXHIBIT B

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK AS
TRUSTEE FOR FIRST HORIZON
ALTERNATIVE MORTGAGE
SECURITIES TRUST 2006-AA6,

Plaintiff,

vs.

DEBORAH TOWNSEND; SCOTT
TOWNSEND; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.; FIRST HORIZON
HOME LOAN CORPORATION; GULF
HARBOUR INVESTMENTS
CORPORATION; JOHN AND/OR JANE
DOE, UNKNOWN OCCUPANTS/CO-
HABITANTS OF THE SUBJECT
PREMISES

Defendants.

Cause No. 19-2-07409-0

DECLARATION of CO-COUNSEL IN
SUPPORT OF MOTION FOR SUMMARY
JUDGMENT AND STATEMENT OF
ATTORNEY FEES, COST AND CUSTODY OF
THE ORIGINAL PROMISSORY NOTE

The undersigned attorney represents to the Court the following facts in support of
the Motion for Summary Judgment and Decree of Foreclosure including an award of reasonable
and necessary attorney fees:

1 - DECLARATION OF CO-COUNSEL AND STATEMENT OF
ATTORNEY FEES
JLF No. 19-124735

JANEWAY LAW FIRM, LLC
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
Telephone (360) 260-2253 (800)970-5647
Fax (360) 260-2285
ksutherland@logs.com

1 1. This is an action for foreclosure.

2 2. The relief sought is foreclosure and Sale of the Subject Property to recover the
3 outstanding debt under the terms of the loan.

4 3. Plaintiff seeks and is entitled to recover attorney fees on its first claims for relief
5 for foreclosure pursuant to the following facts, statute or rule: RCW 4.84.320 and pursuant to the
6 Note and Deed of Trust.

7 4. Attorney fees of \$5,750.00 to complete the judicial foreclosure represent the flat
8 contract rate customary or negotiated with client. The number of hours and services rendered in
9 this matter for each attorney, clerk, and legal assistant and the hourly rates for each are set forth in
10 detail in Exhibit "A" and is summarized as follows:
11

Name	Position	Hourly Rate	Total Hours Worked	Total Fees
Attorney	Attorney	\$375.00	11.10	\$4,162.50
Genevieve Larson	Paralegal	\$90.00	1.30	\$117.00
Genevieve Larson	Paralegal	\$115.00	3.20	\$368.00
James A. Craft	Attorney	\$375.00	4.80	\$1,800.00
Olga Pasko	Paralegal	\$115.00	5.80	\$667.00
Paralegal	Paralegal	\$115.00	3.50	\$402.50
Stephanie Craft	Paralegal	\$115.00	1.60	\$184.00
Veronika Terekhova	Paralegal	\$115.00	0.60	\$69.00

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20 Total Fees Earned per Exhibit: \$7,770.00

21 Contract Rate: \$5,750.00

22 The above total includes estimated hours of attorney time and paralegal time to complete the
23 foreclosure, including services for confirming entry of judgment, calculating and preparing the
24 order of sale and writ of execution, issuing instructions to the sheriff, checking an updated title
25

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1 report prior to sale, reviewing the notice of sale, publication and levy, coordinating the sale date
 2 with the sheriff, obtaining and reviewing bid instructions from the client, providing and updating
 3 instructions to the Sheriff regarding sale date and written bids by the judgment creditor, reviewing
 4 and monitoring the sale and the sheriff's return on the writ, preparing the motion and order
 5 confirming the sale, and calculating the redemption period.
 6

7 5. Because Plaintiff's right to attorney fees arises under the contract, the Court should
 8 consider the specific factors in determining a reasonable attorney fee award:

- 9 a) *The novelty and difficulty of the questions involved:* This was not a factor.
 10 b) *Skills requisite to perform the legal service properly:* The particular area of law is very
 11 technical and highly litigated the proper performance of legal services. Requiring a
 12 high degree of specialization.
 13 c) *The likelihood, if apparent to the client, that the acceptance of the particular*
 14 *employment will preclude other employment by the lawyer:* This was not a factor.
 15 d) *Fees customarily charged in the locality for similar legal services:* The hourly rates
 16 and the fixed fee charge represent a low average for like work in the State of
 17 Washington. Particular localities are generally not a factor for this type of legal service.
 18 e) *The amount involved and the results obtained:* The amount involved is significant and
 19 the result obtained in regard to the action was favorable to the Plaintiff as Plaintiff was
 20 able to obtain default judgment.
 21 f) *The time limitations imposed by the client or by the circumstances:* This was not a
 22 factor.
 23 g) *The nature and length of the professional relationships with the client:* This was not a
 24 factor.

25 *The experience, reputation and ability of the lawyer(s) performing the services:* The
 26 attorneys and paralegals practice exclusively in this area of law and have devoted significant
 27 resources to gain experience in their field of practice. Their hourly rates, according to Hourly Rate
 28 Survey are near or below the average hourly rate for their years of experience;

21 a. James Craft has been licensed to practice law since 2009.

- 22 h) *Whether the fee is fixed or contingent:* The fee is a fixed fee in the event of default and
 23 an hourly rate if contested.
 24

6. Based on the above, Plaintiff is entitled to an award of reasonable and necessary co-counsel attorney fees in the sum of \$5,750.00.

7. Plaintiff is entitled to recover following charges as authorized under RCW 4.84.320. A specific breakdown of the charges is attached as Exhibit "B". The following charges are reasonable and necessary and not included in the hourly rates set forth above:

Filing Fee	\$240.00
Title Report	\$2,105.11
Ex Parte Fee	\$70.00
Total Service Fees (see Exhibit for individual breakdown)	\$692.50
Lis Pendens Recording Fee	\$100.00
Skip Trace Costs	\$170.00
Certified Mailing Costs	\$45.80
TOTAL	\$3,423.41

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1 8. Janeway Law Firm, LLC is the successor-by-merger to Shapiro and Sutherland,
2 LLC.

3 9. Janeway Law Firm, LLC's custodian has reviewed our vault and has confirmed that
4 the firm is currently in possession of the original promissory note which is the subject of this action.
5

6 **I hereby declare under penalty of perjury under the laws of the State of Washington**
7 **that the foregoing is true and correct.**

8 Dated this 15 day of March, 2022

9
10 Attorneys for Plaintiff
Janeway Law Firm, LLC

11 By: 
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